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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Group Art Unit: 1634
)	
Linnen <i>et al.</i>)	Examiner: Lucas, Zachariah
)	
Serial No.: 10/688,489)	Confirmation No. 3927
)	
Filed: October 16, 2003)	Atty. Docket No.: GP140-04.UT
)	
For: Compositions and Methods for)	
Detecting West Nile Virus)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b) & (c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. Copies of the cited non-U.S. patent references are enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

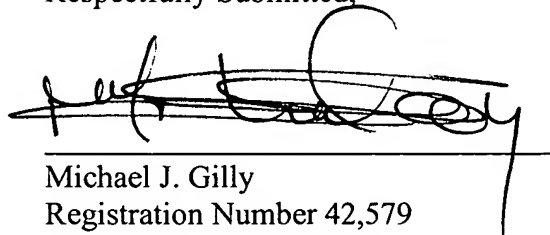
If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of transmission indicated below, then Applicants request that this Information Disclosure Statement be treated as a transmission under 37 C.F.R. 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

IDS

Serial No. 10/688,489
Atty. Docket No. GP140-04.UT

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael J. Gilly", is written over a horizontal line.

Date: December 14, 2004

By:

Michael J. Gilly
Registration Number 42,579
Agent for Applicants

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PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1634
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

Sheet 1 of 1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Shi et al., "High-Throughput Detection of West Nile Virus RNA," J. Clin. Microbiol., Apr. 2001, 39(4):1264-1271, Am. Society for Microbiology, USA.	
		Scaramozzino et al., "Comparison of Flavivirus Universal Primer Pairs and Development of a Rapid, Highly Sensitive Heminested Reverse Transcription-PCT Assay for Detection of Flaviviruses Targeted to a Conserved Region of the NS5 Gene Sequences," J. Clin. Microbiol., May 2001, 39(5):1922-1927, ASM, USA.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM

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Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1634
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Michael J. Gilly		
Date	December 14, 2004	Reg. No.	42,579

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Michael J. Gilly	Date	December 14, 2004

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